

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

\*

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Plaintiff,

\*

\*

v.

CASE NO. 2:06-CV-00116-MEF

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\*

FIVE HUNDRED FORTY-THREE  
THOUSAND ONE HUNDRED NINETY  
DOLLARS (\$543,190.00 in United States  
Currency

Defendant.

\*

and

\*

\*

ENRIQUE ALCARAZ-BARAJAS,

\*

\*

Claimant.

\*

\*

**MOTION FOR EXPANSION OF TIME FOR RESPONSE**

Comes now the Claimant Enrique Alcaraz-Barajas, by and through the undersigned attorney, and moves the Court to grant him an expansion of time to respond to the Government's Response to Claimant's Motion to Suppress, and as grounds therefor says as follows:

1. That a case, Brendlin v. California, Docket No. 06-8120, was argued before the Supreme Court of the United States of America on April 23, 2007. The question presented was: "Whether a passenger in a vehicle subject to a traffic stop is thereby 'detained' for purposes of the Fourth Amendment, thus allowing the passenger to contest the legality of the traffic stop."

2 The government has raised the issue of Claimant's standing to object to the stop, because Claimant contends, among other things, that all evidence should be suppressed because of the illegality of the initial stop of the vehicle in which Claimant was a passenger. Claimant reasonably believes that a ruling is due in Brendlin within 30 days.

3 Claimant is also in need of additional time to acquire either the affidavit or deposition of Claimant and/or a witness who is not permitted to come to the United States.

4. Because of these circumstances, Claimant requests an additional 35 days to respond to the Government's response. Such will permit a clearer determination of the issues the address not only the suppression issues, but also the motions for summary judgment, and the Claimant's Motion to Strike.

s/Bruce Maddox

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of June, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to appropriate parties.

s/Bruce Maddox  
Of Counsel